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THE SIX NATIONS.

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THE SIX NATIONS.

It is less than ninety years since the entire portion of western New York, covering over six million acres of land in the present counties of Chautauqua, Cattaraugus, Allegany, Steuben, Erie, Wyoming, Livingston, Ontario, Yates, Niagara, Genesee and Monroe, and the western portions of Wayne, Schuyler and Chemung, were in the undisputed possession and control of the Six Nations of New York.

Massachusetts claimed title to these lands by grant of King James I of England to the Plymouth company, made in 1628, extending westward to the Pacific ocean.

New York claimed title to the same territory by grant from Charles II to the Duke of York and Albany, in 1663, the western boundary of which grant was not specifically defined.

These conflicting claims between New York and Massachusetts were settled by commissioners on the part of each state, at Hartford, December 16, 1786, by Massachusetts ceding to New York the "government, sovereignty and jurisdiction" of such lands, and by New York ceding in terms its "right of preëmption of the soil of the native Indians and all other estate (except of sovereignty and jurisdiction) to Massachusetts, its grantees and assigns forever."

The tenth article of this compact provided that no purchase from the native Indians should be valid unless made in the presence of and approved by a commissioner appointed by Massachusetts and confirmed by it. In 1777 Oliver Phelps and Nathaniel Gorham contracted to purchase of Massachusetts this entire tract of six million acres for one million dollars, payable in a kind of scrip called "consolidated securities," then much below par. The scrip soon after rising to par, prevented them from fulfilling their agreement, although the purchase price of the land was less than seventeen cents per acre. They, however, by treaty with the Six Nations, held at Kanadesaga (now Geneva) in July, 1788, purchased of the Indians their title to about two million two hundred and fifty thousand acres from the eastern part of the tract, extending from the north line of Pennsylvania to Lake Ontario, which Phelps and Gorham retained from their pur-

chase of Massachusetts, and is called the "Phelps and Gorham Purchase." The title to the balance of the tract, containing about three million seven hundred and fifty thousand acres, reverted to Massachusetts, by reason of Phelps and Gorham's failure to pay for it.

Massachusetts conveyed these lands to Robert Morris, of Revolutionary memory (or in trust for him) by five deeds, dated May 11, 1791, subject to the preëmption right of the Senecas, who claimed to own the lands in exclusion of the other five Indian tribes of New York. The consideration paid by Robert Morris to Massachusetts for this tract was about \$225,000, or six and one-fifth cents per acre.

By the treaty at Big Tree, on Genesee river, September 15, 1797, between Robert Morris and Red Jacket, Cornplanter, Governor Blacksnake, Little Beard, Captain Pollard, Hot Bread, Captain Bullet, Young King, John Jemison, and thirty-seven other chiefs and sachems of the Seneca nation, the Senecas sold to Morris all their lands in western New York, containing 3,750,000 acres, for \$100,000, being at the rate of two and one-half cents per acre (excepting certain reservations), which funds are held in trust and invested by the treasurer of the United States, and interest thereon paid annually in annuities by the United States Indian agent to the heads of families of the Senecas.

The Senecas reserved in the treaty at Big Tree the following ten reservations: Cattaraugus reservation, containing 26,880 acres in the counties of Chautauqua and Erie; Allegany reservation in Cattaraugus county, containing forty-two square miles; Buffalo Creek reservation in Erie county, containing one hundred and thirty square miles; Tonawanda reservation in the counties of Erie, Genesee and Niagara, containing seventy-one square miles; Conawaugus reservation, containing two square miles; Big Tree reservation, containing two square miles; Little Beard's reservation, containing two square miles; Squawky Hill reservation, containing two square miles; Gordeau reservation, containing twenty-eight square miles; Ka-own-a-de-au reservation, containing sixteen square miles; in all 337 square miles.

The Senecas intended to reserve also by the treaty at Big Tree the Oil Spring reservation, one mile square, containing their famous oil spring, three miles west of Cuba in the counties of Allegany and Cattaraugus. It is a muddy, circular pool of water about thirty feet in diameter, on low, marshy ground, without outlet, and apparently without bottom. The Indians have gathered oil from it from time immemorial, called Seneca oil,

which they have used for medicinal purposes. They have a tradition that many centuries ago a very fat squaw fell into this pool and sank, never to rise, and ever since that event Seneca oil has risen to the surface of the water in considerable quantities. It is without doubt the same oil spring mentioned in the letter of instruction, dated Albany, September 3, 1700, of Lord Belmont to Colonel Romer, his majesty's chief engineer in America, with respect to locating the British fort at Onondaga, in which letter his lordship instructed Colonel Romer about locating the fort, and that he was to visit the country of all of the Five Nations, and says:

You are to observe the country exactly as you go and come, the lakes, rivers, plains and hills, so you may report and make a map thereof. You are to visit the Onondagas' country and the salt spring, and taste the water, and give me your opinion thereon. You are to encourage all the Indian nations as much as you can by assuring them of the king's care for them and protection, and you are to magnify the king's greatness and power to them, and to assure them that the frontier of this province shall be well fortified in a short time, so that they shall not fear the French of Canada. You will do well to assure them of my kindness, provided they continue faithful to the king and keep no sort of correspondence with the French in Canada, nor receive any of the priests or Jesuits among them.

You are to go and visit the well or spring which is eight miles beyond the Senecas' further castle, which, it is said, blazes up into a flame when a lighted coal is put into it.

It is stated that Colonel Romer did as he was instructed, and that from that time forward the Five Nations were entirely devoted and wedded to the interests of the English.

The Oil Spring reservation not being reserved by the treaty at Big Tree, the legal title to it passed from the Senecas to Robert Morris, with the other lands of that purchase, and through him to the Holland land company and its grantees by the regular chain of title to Benjamin Chamberlain, Staley N. Clark and William Ghalliger, land owners at Ellicottville, who also owned the lands surrounding it. They, however, supposed that it was an Indian reservation, and had treated it as such until after Mr. Clark was sent to Congress as representative from this district, when, upon examining his book of treaties in the congressional library, he first discovered, to his great surprise, that the Oil Spring reservation was not mentioned as reserved to the Senecas in the treaty, and that the legal title to it was in him and his two partners. They immediately took formal possession of it and surveyed it into four equal parcels of one hundred and sixty acres each; one quarter of it was sold and conveyed to ex-governor Horatio Seymour of Utica, but the quarter containing the oil spring they conveyed to one Philonius Pattison, who cleared up and fenced about eighty acres, erected a house and barn and set out an orchard. This was in 1856, when I was attorney for the Senecas, by appointment of the gov-

error of the state. The Senecas, indignant at the action of the land agents, in council directed their attorney to immediately bring an action of ejectment to recover the possession of the oil spring, which they had always claimed as their own, using the oil for medicinal purposes, and selling timber from it, and using it every year for camping purposes in going back and forth between their reservations on the Genesee river and the Allegany reserve.

I immediately commenced investigation to find evidence of the title of the Senecas to this reservation, particularly to find the first map of the Holland company of their lands in western New York, made by Joseph Ellicott about the year 1801. I made search for this map in the land offices at Ellicottville, Batavia and Mayville, but in vain; I visited the oldest chiefs and Indians on the reservations to find the map and learn of them what they knew about the treaty at Big Tree in 1797. I found three Indians who were present at the treaty; one of these was Governor Blacksnake, then one hundred and thirteen years old, whose Indian name was *To-wa-a-u*, signifying "chain breaker." His English name, Governor Blacksnake, was given to him by President Washington on the occasion of the first visit of this famous war chief of the Senecas and Cornplanter on business for their people to the then seat of government at Philadelphia. I found Blacksnake, on the occasion of my visit to him, at his residence on the banks of the Allegheny river, two miles below Cold Spring, confined to his bed from a fall, dislocating his hip, from which he never recovered. I asked him through my interpreter, Harrison Halftown, what he knew about the treaty at Big Tree. He said he was there and knew all about it; that it was agreed upon all around that the oil spring should be reserved one mile square; that when the treaty was read over in presence of all the chiefs it was noticed and mentioned that the oil spring had been left out of the treaty, and that then Thomas Morris, who was the attorney for Robert Morris, drew up a paper which he described as about three inches wide and twice as long, and handed it to Pleasant Lake, a leading Seneca sachem, and stated to the chiefs that that paper contained the oil springs. Blacksnake said he did not know what became of this paper, that Pleasant Lake soon after went to Onondaga and died there.

I asked him if he had ever seen a map of the Seneca reservations. He said he had one in his chest, under the bed, where he was lying. He told Harrison Halftown, my interpreter, to pull out the chest, which he did, and opening it, we found what I had long searched for, the first map of

the Holland purchase, made in 1801 by Joseph Ellicott, the surveyor of the Holland company and its first agent at Batavia, and who was present at the Big Tree treaty and signed the treaty as a witness. I asked Governor Blacksnake how he came by that map. He said that Joseph Ellicott presented it to the Senecas in a general council of the chiefs and warriors at the Tonawanda reservation about the year 1801, that Ellicott made a speech to the Senecas, in which he stated that that map contained a correct description of the eleven reservations reserved to the Senecas by the treaty at Big Tree, four years previously; that the eleven places marked in red on the map belonged to the red men. Among the places so marked was the Oil Spring reservation. *Blacksnake said that this map was entrusted to his care and keeping by the Seneca chiefs, and that he had had it in his possession ever since.† This map is on file, with the testimony of Blacksnake taken on the trial of the action to recover the Oil Spring reservation, in the clerk's office of Cattaraugus county at Little Valley. On his evidence, and of other Indians who were present at the treaty, corroborating Blacksnake, and particularly the testimony of Hon. Staley N. Clark, who was called as a witness for the Indians, the Seneca nation recovered a verdict. Clark testified that he had always regarded this tract as an Indian reservation, and had treated it as such up to the time he went to congress. The first trial was had before Judge Johnson and a jury, but owing to an error in the judge's charge to the jury the judgment was reversed by the general term of the supreme court and a new trial granted. On the second trial, before Judge Richard P. Marvin and a jury, the Sen-

*There is some uncertainty about the exact age of Governor Blacksnake. He died September 29, 1859. Nathaniel T. Strong, a leading educated Seneca, a graduate of Union college, during many years clerk and counsellor of the Seneca nation, and who delivered an able lecture upon Red Jacket, before the Buffalo Historical society, a few years since, says in an article published over his signature in the *New York Sun* in 1859, that Governor Blacksnake was born in 1737, and was 122 years old at his death. This is pretty good authority; but Harrison Halftown, another leading educated Seneca, now living, and who was a near neighbor to and very intimate with Governor Blacksnake, says that he was born in 1742, and that his opinion is formed from data of certain well-known events which Blacksnake had often stated to him, and among others that he was 13 years old at the time of the capture of Fort Duquesne in 1755, and was, therefore, of the age of 117 years at his death. I first saw Governor Blacksnake in 1852. He was then a tall, slim man, straight as an arrow, with very keen, piercing, black eyes, of commanding presence, hair slightly gray, the deep furrows in his face indicating great age. Four years later, when confined to his bed by sickness, he was subjected to a rigid cross-examination as a witness in the Oil Spring suit, and exhibited great clearness of recollection and vigor of mind.

†On this occasion Governor Blacksnake exhibited two silver medals which had been presented to him at different times by President Washington. On one, dated 1796, there was engraved the picture of a white man and Indian chief shaking hands. One, as he said, was his great father, George Washington, and the other Governor Blacksnake.

ecas again had judgment for recovery of the reservation. The defendants, through their counsel, Hon. A. G. Rice, appealed to the general term, which affirmed the judgment at the circuit. The case was appealed by the defendants to the court of appeals, which affirmed the judgment of the general term and circuit, fully establishing the title in the Indians. The late Chauncey Tucker, of Buffalo, was associated with me as counsel on these trials.

Soon after this the Senecas leased this reservation for oil purposes to a corporation organized in Wall street, called the Seneca oil company, on which lease the Indians received a bonus of \$10,000. The company issued a large amount of stock, which was at one time at par, and made a good deal of money. It put down several wells on the reservation and obtained a few barrels of heavy lubricating oil, but not in paying quantities.

I desire here to state to the credit of the late Staley N. Clark, whose character for integrity was held in high repute by all who knew him, that the action of his company in taking possession of this reservation from the Indians and selling it was not approved by him.

By treaty held at Buffalo Creek reservation, August 31, 1826, the Senecas sold to the Ogden land company their six reservations on the Genesee river, 33,409 acres of the Tonawanda reservation, 33,637 acres of Buffalo Creek reservation, in Erie county, one square mile in the town of Hanover, Chautauqua county, the "mile strip" and "mile square," in Erie county, of the Cattaraugus reservation—in all 87,526 acres, for \$48,216, being at the rate of about 55 cents per acre. These lands were among the richest and most valuable in western New York. The treaty was executed in the presence of Oliver Forward, commissioner on behalf of the United States, Nathaniel Gorham, superintendent for the state of Massachusetts, and was witnessed by Jasper Parish, United States Indian agent, and Horatio Jones, United States interpreter, and was signed by forty-seven chiefs and sachems of the Seneca nation, among whom appear the names of Red Jacket, Young King, Cornplanter, Governor Blacksnake, Captain Strong, Tall Chief, Captain Pollard, Two Guns, Silverheels, Captain Shongo, Halftown, Tall Peter, Twenty Canoes, Blue Eyes, Red Eyes, Seneca White, Charles O. Beal, Son of Cornplanter, and other well-known chiefs of the Senecas, all of whom are supposed to have long since departed to the "happy hunting grounds." Forty-three thousand two hundred and fifty dollars (\$43,250) of the money paid to the Senecas for these lands were invested in stock of the public debt of the United States, and

transferred to the Ontario bank at Canandaigua, and afterwards to the United States treasury in trust for the Senecas, upon which they have received each year since 1826 annuity interest at 5 per cent., amounting annually to \$2,162.50.

In 1878 the Honorable Secretary of the Interior, at the request of the Seneca nation, appointed a civil engineer to resurvey the outer boundaries of the Cattaraugus reservation in the counties of Erie, Chautauqua and Cattaraugus, the Senecas paying the engineer and surveyor \$2,000 for the job. The engineer made his survey, and included in it the three tracts of land which I have mentioned as the "mile strip" and "mile square," in Erie county, and the "mile square," in the county of Chautauqua, containing in all 5,120 acres, which lands had been in the undisputed possession of white men and their grantees, under deeds of purchase, in good faith, from the Ogden land company, for over fifty years. As the survey included these lands *within* the outer boundaries of the reservation, it led the Senecas to believe that they still owned the lands, and naturally produced great uneasiness upon the parts of hundreds of white men who had purchased the land in good faith from the Ogden land company, and had cleared up farms and erected buildings thereon for permanent homes. It is a well-known historical fact that the treaty at Buffalo Creek reservation, of August 31, 1826, by which the Senecas sold to the Ogden company about 210,380 acres of their most valuable land on Genesee river, at Buffalo Creek, Tonawanda, and Cattaraugus reservations, at a fraction over 55 cents per acre, was at that time very unpopular with the Seneca people generally, so that many of them, aided by their staunch friends, the Quakers, always vigilant in protecting their interests, strongly opposed the ratification of the treaty by the United States senate.

The Senecas now claim title to all the lands covered by that treaty, now thickly populated by thriving villages, especially those on the Genesee river, and base their claim upon the assumed ground that the treaty was never formally ratified by the United States senate; also on the ground of inadequacy of the price paid for them; that \$4,966 of the purchase price of the lands was never placed to their credit in the United States treasury but was used, with other funds of the Ogden land company, in paying from seven to ten of the leading Seneca chiefs who signed the treaty, each a bonus for signing it in the form of an annuity of from \$80 to \$120 per year, from the date of the treaty, in 1826, during life. Soon after the survey mentioned had been completed, in 1879, the Seneca nation sent a dele-

gation to my office, at Forestville, to advise with me, I being then United States Indian agent, relating to the legality of their claim. I told them I thought their claim was pretty stale, as they had received annuities from the purchase price of these lands for over half a century. Not satisfied with this advice, they sent delegates to Albany to consult the Hon. Martin I. Townsend, United States attorney for the northern district of New York. He gave them a hearing, and told them he would carefully investigate the matter, and advise them by letter of his opinion. He did so, and wrote to them in due time, giving an opinion adverse to the claim and his reasons therefor. But this did not satisfy the Senecas. With a pertinacity highly characteristic of them, they continued to agitate the subject, and finally, by resolution adopted in council, employed General James G. Strong, of Buffalo, as their attorney, to bring action to test the legality of the treaty of 1826. General Strong's appointment as attorney for this purpose has been approved, and authority given him by the Secretary of the Interior to bring action as the attorney for the Seneca nation for such purpose. The action had not been commenced a few days since, when General Strong wrote me that he was getting things in good readiness to commence one.

The Cattaraugus reservation, as reserved by the treaty at Big Tree, in 1797, embraced a strip of land about one mile wide, extending westerly from Eighteen-mile creek, or Kough-gauw-gie creek (distant about fourteen miles southwesterly from Buffalo) along the south shore of lake Erie, through the towns of North Evans and Brant, in Erie county, and the towns of Hanover, Sheridan, and Dunkirk, in this county, to a point one mile east of Con-non-dua-we-ga (Canadaway) creek; thence up said creek one mile parallel thereto; thence on a direct line to said creek; thence down the same to lake Erie; thence along the lake to the mouth of Eighteen-mile creek. It also embraced a strip of land adjoining the above lands, one mile wide, on the north bank of Cattaraugus creek, between present villages of Irving and Gowanda. This reservation, therefore, originally covered the sites of the present villages of Angolola, Farnham, in Erie county, and of Irving, Silver Creek, Fredonia, and the city of Dunkirk, in Chautauqua county, and contained about fifty square miles.

By the treaty at Buffalo creek, on June 30, 1802, the Senecas exchanged the above lands with the Holland land company, for the present Cattaraugus reservation, including the "mile strip" and the "mile square," in Erie, and the "mile square," in Chautauqua (since sold as above stated),

in all about forty-two square miles, situated in above named counties, upon both sides of Cattaraugus creek, of very rich and fertile land. The preëmption right was reserved in the treaty, and is now owned by the Ogden land company.

This exchange of land was a good one for the Senecas, in securing a reservation in compact form, of far superior quality of land than the other, although about three-fourths of the size of the original reserve. It was an especially fortunate exchange for the people of Chautauqua county, in giving them a frontage on lake Erie, and free access to the then important harbors at Irving, Silver Creek, and Dunkirk.

The Cattaraugus reservation has an Indian population of 1,640, of whom 1,418 are Senecas, 156 Cayugas, 48 Onondagas, 4 Tuscaroras, and 14 Tonawanda Senecas, being an increase in population since the state census of 1865 of 293.

The Senecas of Allegany, Cattaraugus, and Cornplanter reservations, numbering 2,311, own the Allegany and Cattaraugus reservations, subject to whatever rights of occupancy the 314 Onondagas and Cayugas residing with them may have therein. This preëmption right is derived from the prior discovery of the territory by civilized man, and in this instance restricts the Senecas from selling to others than the Ogden land company and its grantees. The Ogden land company claim that this right of preëmption embraces the fee of the land, and that the Indians have the right of occupancy only so long as their tribal relation continues. The Senecas claim the absolute ownership of the Allegany and Cattaraugus reservations in fee, subject only to the right of the Ogden land company to purchase whenever they shall elect to sell.

This preëmption right of the Ogden land company is a source of great uneasiness to the Indians of Cattaraugus and Allegany reservations, resting as a cloud upon the title of their lands. It stifles industry by withholding the best incentives to it, the natural desire of man to acquire property, and the attachments of home and family. The Senecas have heretofore resisted every effort made by the state of New York to induce them to allot their lands in severalty, under the apprehension that such allotment might result in breaking up their tribal relations, and so forfeit their reservations to the Ogden land company.

Notwithstanding that the Indians of Cattaraugus reservation have held their land in common, and have not possessed the usual incentives to industry of other people, they have made good progress in civilization dur-

ing the past twenty-five years. In education, increase in population, intelligence, wealth and substantial comforts of life, their progress has been quite remarkable.

The Thomas asylum for the orphan and destitute Indian children of the Six Nations of New York, on the Cattaraugus reservation, was incorporated by an act of our state legislature in 1855, with Rev. Asher Wright, Eber M. Petit, and three other white men and five Indians as trustees, and has been since then in successful operation. It received its name from Philip E. Thomas, of Baltimore, Maryland, a member of the Society of Friends, who contributed funds for its establishment. It is open to all the orphan and destitute Indian children of the Six Nations, and has been from the first under excellent management, and is one of the most beneficent institutions of public charity in the state. The number of children, of both sexes, has averaged about one hundred. The girls have been taught to labor in household work, and the boys in manual labor upon the farm and in the shops connected with the asylum. About thirty acres of broom corn have been raised annually upon the farm, which the Indian boys in the winter have manufactured into brooms, bringing quite an income to the institution. The state appropriates annually about \$10,000 for its support.

There are ten Indian day schools on this reservation, taught thirty-two weeks each year, and mostly supported by annual appropriations from the state.

Among the actions of local interest prosecuted by the Seneca nation was one to establish the western boundary of the Cattaraugus reservation, adjoining the town of Hanover, in this county. The action was commenced in 1850, and continued through the official lives of three successive attorneys for the Senecas and a part of the fourth. Harris L. Knight, of Irving, had a dam across the Cattaraugus creek at Irving, and a valuable saw mill on its north bank. He claimed that his dam and mill were on his own land, and that the west bounds of the reservation were on the north bank of the creek; and the Senecas claimed the boundary line was down the centre of the creek. The action was tried five times at the Erie circuit, and the Seneca nation beaten on each trial, the circuit judges, and among them Judge Harris, of Albany, each holding that the true boundary line was on the north bank of the stream.

The legal question involved grew out of the construction to be given to the words in the last boundary line of the reservation, as men-

tioned in the treaty concluded at Buffalo Creek reservation, June 30, 1802, which defined its boundary as commencing at a stake standing on the north bank of Cattaraugus creek, on the south shore of Lake Erie; thence by various courses around the reservation to its southwest corner; thence north (crossing the creek) to a stake on the north bank of the Cattaraugus creek; *thence down the same, and along the several meanders thereof to the place of beginning*, being to the other stake named as standing on the north bank.

The defendant stoutly contested the right of the Indians to recover, in each successive trial at the circuit, and the Indians being beaten, appealed from each trial at the circuit, to the general term of the supreme court. At the general term the defendant purposely failing to appear, a new trial was granted by default.

The action revolved in circle in the manner mentioned during ten years, with no prospect of its ever terminating. The defendant was in the meantime using the mill, which was largely supplied with black walnut, white wood, and ash logs from the reservation, doubtless hoping that the Senecas would, in time, get tired out, and abandon the fight. After the case had been so long in court the general term was asked by the plaintiff's attorney to take the papers, and, if they deemed proper, to deny the plaintiff's motion for a new trial, so as to enable the Senecas to carry the case to the court of appeals, and obtain its decision upon the disputed boundary. The case was duly appealed, and a special act of the legislature passed, giving this action and the Oil Spring reservation suit preference on the calendar, Major Hiram Smith, then member of the assembly from this assembly district, having charge of the bill. The case was soon after argued and submitted. The court of appeals decided that the true boundary was in the center of the creek, and granted a new trial, and the case was again tried at the circuit, and the nation secured a verdict establishing the boundary in the center of the creek, as claimed by them. I have been thus particular in giving a history of this important suit from its local interest in part, and to show the characteristic persistence of the Senecas in a course of action once entered upon, leading them, even in a lawsuit, to never surrender short of the judgment of the court of last resort.

The Allegany reservation, located on both sides of the Allegany river, in Cattaraugus county, is almost thirty-five miles long, and contains forty-two square miles, varying in width from one to two and one-half miles. The larger portion of it, immediately adjoining the river, is level and fer-

tile; the balance broken and hilly. It was formerly covered with heavy pine timber, and until recently the lumbering business, which was extensively carried on there, tended greatly to demoralize the Indians by diverting their attention from farming, and bringing them in contact with demoralizing influences. It is also traversed by a number of railroads, and has a large white population, composed largely of railroad employes, in the villages of Salamanca, West Salamanca, Vandalia, Carrolton, Great Valley, and Red House, which were surveyed and established by commissioners appointed for the purpose, under the act of congress passed February 19, 1875. Its present Indian population is 929, being an increase of 175 since the census was taken by the state in 1855. There are six Indian day schools on this reservation supported by the state. The most of the Indians resided on the southwest part of the reserve, towards the state line, which is more isolated than the rest from railroad towns, and this portion of them are making fair progress in civilization. The Society of Friends at Philadelphia have, during about twenty-five years past, maintained, in connection with a large farm, a manual labor school adjoining this part of the reservation, at an annual expense of about \$3,000. This school has been under most excellent discipline and management, and has had an annual attendance of about thirty Indian children, mostly boys. In this school the Indian pupils have been boarded, clothed, and educated, and taught to work, the school being wholly supported through the benevolent and generous contributions of the Quakers at Philadelphia, who have always been the steadfast friends of the Senecas, protecting their interests in treaties with white people, and in all their public affairs.

The Senecas of Allegany and Cattaraugus reservations were incorporated by act of our legislature in 1845, under the name of the Seneca nation of Indians, with right to bring actions in the courts of this state in all cases relating to their common property, by an attorney appointed by the governor. They have maintained during thirty-five years a republican form of government, with a president, council, treasurer, and clerk, elected annually by ballot, also a peace-maker's court on each reservation, having jurisdiction in actions between Indians, and authority to administer upon estates of deceased persons.

The Cornplanter reservation, on the Allegany river, in Warren county, Pennsylvania, three miles below the Allegany reserve, contains 761 acres of choice lands on the river bottoms. The commonwealth of Pennsyl-

vania granted this reservation in fee to the famous war chief and wisest counsellor of the Six Nations, *Gy-hant-wa-hia*, or Cornplanter, March 16, 1796, for his many valuable services to the white people, especially that most important one in preventing the Six Nations of New York in joining the confederacy of western Indians, in 1790 and 1791, in the war which terminated in the victory of General Wayne, in 1794. The state of Pennsylvania has erected a fine monument to the memory of Cornplanter on this reservation. His descendants and other Senecas, numbering ninety-three, reside on the reservation, which was allotted to them in 1871, by commissioners appointed by the state of Pennsylvania, with power to sell only to descendants of Cornplanter and other Seneca Indians.

These Cornplanter Indians are recognized by the Senecas of Allegany and Cattaraugus reservations as owning equal rights with them in those reservations, and share with them in the annuities payable under the treaties with the United States. They are a temperate, thrifty people, are good farmers, and are increasing yearly in population. The allotment of their lands in severalty and in fee has greatly contributed to their prosperity and civilization by affording a new incentive to industry.

The Tonawanda reservation, in the counties of Erie, Genesee, and Niagara, now contains seven thousand five hundred and fifty acres, the title of which is held in trust by the comptroller of this state "for the exclusive use, occupation, and enjoyment of the Senecas of the Tonawanda band," who reside upon the reservation, and number 630, being an increase of 29 since the state census taken in 1865. It is governed by chiefs. This reservation is very fertile and is well adapted to the raising of fruits, wheat, and other grains.

The Senecas of this band, with those of the Allegany, Cattaraugus, and Cornplanter reservations, receive an annuity of \$11,902.50 from the United States. The Tonawanda Senecas also receive in addition trust fund interest at five per cent. on \$86,950 annually as annuity, amounting to \$4,347.50, under their treaty with the United States dated November 5, 1857. This band receives larger money annuities than any of the Indians in New York, and owns in fee one of the most fertile reservations, yet its progress in civilization has been less rapid than the other tribes, owing, doubtless, in part, to the unsettled condition of the title of their reservation, and excitement, and almost constant litigation respecting same during twenty-one years immediately preceding the treaty of

November 5, 1857. The state supports three day schools on this reserve during thirty-two weeks in each year. This band has within a few years appropriated \$6,100 from their annuity interest for the establishment of a manual labor school on the reservation.

General Ely S. Parker, a full blooded Seneca Indian, now residing in the city of New York, is a chief of this band. He received a good education, studied law with Hon. William Pitt Angell, at Ellicottville, N. Y., but adopted the profession of a civil engineer. He was commissioned captain and adjutant-general of United States volunteers in May, 1863, while at his home in western New York, joined General Grant's army at Vicksburg on the eighth of July following, and was attached to General John E. Smith's brigade in General McPherson's corps. In September following he was detailed to General Grant's staff, and participated with him in all the battles he was engaged in subsequent to that time, and was present at Lee's surrender at Appomattox, having had the honor of engrossing the articles of surrender which were handed to Lee. He was made a brigadier-general during the war, and resigned his commission in the regular army in 1869. Soon after this he was appointed by President Grant to the important and very responsible office of commissioner of Indian affairs, in which he served several years.

General Parker was present on the occasion of the re-interment of the famous Seneca chief, Red Jacket, at Forest Lawn cemetery, Buffalo, a few months since, where he attracted general attention by his gentlemanly address, fine physique, and strongly marked Indian features, and made a very sensible and appropriate speech.

There are on the New York reservations about 493 Onondagas, of whom 317 reside on the Onondaga reservation in Onondaga county, 96 at Alleghany reserve, 42 at Cattaraugus, 36 at Tuscarora, and 2 at Tonawanda reservation. They receive in annuities from the state of New York \$2,430 and one hundred and fifty bushels of salt. Prior to 1793 the Onondaga reservation contained one hundred square miles, and covered the site of the city of Syracuse, and of several towns in that locality. By treaty of March 11, 1793, they sold to New York over three-fourths of their lands for \$638 and a perpetual annuity of \$410.

By treaty of July 28, 1795, they sold to this state the Salt lake at Syracuse and lands around it for an annuity of \$700 and 100 bushels of salt, payable annually and forever. By treaty of February 25, 1817, they sold to New York state 4,320 acres more of their reserve for \$1,000 paid down,

and a perpetual annuity of \$430 and 50 bushels of salt, payable each year. On February 11, 1822, they sold to this state 800 acres more of their reserve for \$1,700 paid down. The present reservation contains 6,100 acres of fertile land, seven miles from the city of Syracuse, and is mostly leased to white men. This practice of leasing, instead of working their lands, has no doubt been a positive injury to them. They are governed by chiefs; their increase in population since 1865 has been 34.

The Methodists have a mission house on the reservation, and a resident missionary. The Episcopalians also have a commodious church building, in which religious services are held weekly, and a day school maintained by them. There is also another day school supported by the state. Both schools are well attended and are taught about eight months in the year. The chiefs, who are mostly pagans, now advise their people to send their children to school, and to work their lands, instead of leasing them to white people. The few who cultivate their own lands are generally temperate and thrifty as compared with those who lease them and live in idleness.

There are 250 Oneidas on the New York reservations, 66 with the Onondagas at Onondaga reserve, 11 at Tonawanda, and 173 on Oneida reservation in Oneida and Madison counties, an increase of 16 since the state census of 1845. They are mostly good farmers and prosperous. They have been admitted to citizenship and have voted as citizens of the United States for several years. They have held their lands in severalty and in fee since 1843, each having the lawful right to sell his land to any white man by consent of a majority of the chiefs and a superintendent appointed by the state. But few sales have been made under the state law of 1843 giving such authority. They are mostly Methodists, and have a good church building on the reserve, in which Thomas Cornelius, a worthy and highly respected Oneida Indian, officiated as their minister for many years.

The Cayugas by treaty of February 25, 1789, sold to this state nearly all their extensive territory, reserving one hundred square miles around Cayuga lake, a few acres at Seneca river, and one square mile at Cayuga ferry, for \$2,125, and an annuity of \$500. On July 27, 1795, they sold their remaining lands to the state for \$1,800 paid down, and an annuity of \$1,800. They now own no lands in this state. One hundred and eighty-four Cayugas reside with the Senecas, nearly all on the Cattaraugus reservation, and receive about \$1,400 annuity from the state. A large portion

of this tribe have moved from this state to the Indian territory. They also receive annuity goods from the United States under its treaty with the Six Nations of November 11, 1794, amounting in value to about ninety cents per capita, as do also the other six tribes in New York, except the St. Regis.

The St. Regis Indians are descendants of the Mohawks, of New York, whose language they speak. Under the influence of Catholic missionaries their ancestors migrated from the valley of the Mohawk river in 1677, and settled at *Cayh-ne-wa-ga*, near Montreal, in Canada. A colony from the latter place in 1760, migrated to St. Regis, on the St. Lawrence. They are named from Jean Francis Saint Regis, a French ecclesiastic, who died in 1690. They are mostly Roman Catholics. There are 1,922 St. Regis Indians, of whom 790 are denominated American Indians, and 1,132 British Indians. The American portion of the tribe are paid \$2,131.60 annuity by the state of New York for land sold; the British portion \$1,911 by Canada or Great Britain. Twenty-four thousand two hundred and fifty acres of their reservation are in Canada, including the township of Dundee and fourteen thousand and thirty acres adjoining the Canada line in Franklin county, in this state. The boundary line between the United States and Canada divides the Indian village of St. Regis, which contains about one hundred houses, mostly constructed of hewn logs. The St. Regis Indians engaged in the war of the revolution, part with the British and part with the Americans. One of their number, Lewis Cook, held a colonel's commission. They were divided again into two parties, British and American, in the war of 1812. Such division still continues, the lines being kept distinct, following in hereditary descent by the father's side. With the other tribes in this state the line of hereditary descent and of tribal relation is by the mother's side. The increase of the American portion of this tribe since the state census of 1865 has been 325. The increase on the Canada side of the line has been quite as marked. The St. Regis Indians receive no annuities from the United States in either money or goods.

Prior to the formation of the confederacy of the Iroquois, or Five Nations of New York, and about the fifteenth century, a considerable number of the New York Indians migrated to the head waters of the Neuse and Tar rivers in North Carolina and took possession of the country under the name of Tuscaroras. Whether their visit to North Carolina was for the purpose of conquest or otherwise does not appear. Their numbers

increased rapidly, and in 1708 they had fifteen towns and 1,200 warriors. Being a warlike tribe, jealous of their rights, they bravely resisted the efforts of the white people to drive them from their lands, and in the battle at their fort, *Na-ha-su-ke*, on the Neuse, against the combined forces of North and South Carolina, the Cherokees, Creeks, Catawbas, Yamansees and Ashley Indians, 300 of their warriors were slain and 800 taken prisoners and sold into slavery. Their power being broken by this severe defeat, they entered into a treaty of peace with the governor of North Carolina, who granted them lands on the Roanoke in the present county of Bertie, to which the remnant of the tribe removed. Owing to the continued encroachments of the white settlers upon their territory, they soon after migrated to the vicinity of Oneida lake, and formally united with their ancient kinsmen, the powerful confederacy of the Iroquois, the Mohawks, Cayugas, Oneidas, Onondagas and Senecas, then numbering 2,000 warriors, who had by their consummate strategy and prowess in war held alike the English and French at bay for two hundred years, and successfully carried their conquests against other tribes from the western bounds of New England to the Mississippi and from Hudson's bay to the Alleghanies and sources of the Delaware and Susquehanna.

The Tuscaroras removed from Oneida and camped in 1780 on the site of an old Indian fort and mound, on an elevated plateau of fertile lands, seven miles from suspension bridge, overlooking Lake Ontario, and about the same distance therefrom in the present town of Lewiston, Niagara county. Here they planted corn and made a permanent settlement. The Senecas gave them at this place one square mile of land called the Seneca grant. This, it is said, was reserved in the treaty at Big Tree in 1797, but I do not find it mentioned in the treaty. The Holland company, grantees of Morris, however, recognized and confirmed the grant, and generously donated to them two other square miles adjoining.

The Tuscaroras about the year 1804 sent a delegation of chiefs to North Carolina, who sold their lands in that state for about \$15,000, and with \$13,722 realized from this sale they purchased of the Holland land company 4,329 acres adjoining their other lands, making their present tract 6,249 acres, which they own by absolute title in fee simple, which has been practically allotted to them in severalty, except their timber lands are held in common, and the chiefs take commendable care in protecting their timber from waste. The Tuscaroras on this reserve number 412, and 43 Onondagas reside with them, making the total Indian population of the

reserve 455, being an increase in population since the state census of 1865 of 139. The Presbyterian board of missions commenced missionary labors among them in 1800, and the first mission house was erected, and school opened in 1805. As a tribe they early abandoned pagan customs and adopted Christianity and the better customs of civilized life. The chiefs erected the first frame school house on the reserve in 1831, and with the aid of their missionary, John Elliott, organized a temperance society of one hundred members. Circumstances have contributed to make the Tuscaroras more self-reliant and prosperous than most of the other tribes in New York. Unlike the Senecas, they own their lands in fee, and unlike all other tribes in this state, they have received no money annuities from any source. They are a temperate, industrious, and thrifty community, and in their farms, farm products, buildings, and agricultural implements compare favorably with their white neighbors.

There were on these nine reservations in 1883 thirty-one Indian schools, of which twenty-nine were day schools, and two boarding and manual labor schools. The average daily attendance of Indian pupils was eleven hundred and nine, as reported by the teachers. The state of New York in that year paid towards their support \$8,282, Pennsylvania \$310 for the school at Cornplanter, and the Quakers for support of their boarding school at Allegany reserve \$4,454. The annual expense paid for the support of these schools has been about the same as here stated for many years. In addition to these there has been during about ten years an industrial school at Cattaraugus reservation, under the sole charge of Mrs. Laura M. Wright, widow of the late Reverend Asher Wright, for the instruction of the Indian women of Cattaraugus reservation in needle work, and for the manufacture of clothing for their families and for destitute Indian children from cloth donated mostly by benevolent persons in Boston and New York city, and by other benevolent persons. The United States has appropriated a few hundred dollars for the same purpose. Mrs. Wright's services have been gratuitous from the first, who, now over seventy-five years of age, has been doing efficient missionary work for the Senecas during over half a century. It was mainly through her self-sacrificing and persevering efforts that this important industrial school for Indian women and orphan and destitute Indian children was established and has since been successfully maintained, and she is still apparently as active and untiring as ever in her good work. Her reward will come, if not

in this life, in that better land, which in faith of Christian and pagan alike, lies beyond life's setting sun.

No close student of the early history of this country can have failed to observe that the Six Nations of New York wielded a powerful, if not controlling influence, in shaping its destiny, especially in the long and bloody wars between France and England for supremacy upon this continent. By the treaty of Utrecht, concluded March 31, 1713, Great Britain obtained sovereignty as against France over nearly the entire country of the Six Nations. In the war terminating in that treaty the Six Nations, as allies of Great Britain, bore an important part. But the French, in addition to their Canadian possessions, still claimed dominion over all the vast country watered by the tributaries of the Mississippi, including the valleys of the Alleghany, Conewango, Cassidaga, and Chatauqua lake, and extending westward to the father of waters, which country they called Louisiana. Over sixty French forts bristled along the frontiers of this disputed territory. French emissaries and Jesuits were busy in seducing the Indians to unite their fortunes with the Gallic race against the Anglo-Saxon, giving the contest the semblance of a war between Protestant and Romanist, yet the Six Nations remained loyal to the English. A considerable number of their warriors fought under General Wolf, in scaling the heights of Abraham and capture of Quebec, although the larger part of them took no active part in the war. By the treaty of peace of 1763 France ceded Canada, with all her possessions east of the Mississippi and north of Iberville river in the present state of Louisiana, to England.

The British, in taking forcible possession of Grand Island, a valuable property of the Senecas, in the early part of the war of 1812, greatly incensed the Senecas, who immediately thereafter called a grand counsel of the Six Nations, at Buffalo Creek reservation, and issued the following declaration of war:

We, the chiefs and counsellors of the Six Nations of Indians, residing in the State of New York, do hereby proclaim to the war chiefs and warriors of the Six Nations that war is declared on our part against the provinces of Upper and Lower Canada. Therefore we do command and advise all the war chiefs to call forth immediately the warriors under them to protect our rights and liberties, which our brethren, the Americans, are now defending.

They also covenanted not to scalp or murder captives taken in war, which pledge, to their great credit be it said, they sacredly kept. Over 1,200 Indian warriors answered to this call, and were organized in ten or more companies, under their own captains, Farmers Brother, Black-

snake, Red Jacket, Little Billy, Pollard, Johnson, Cold, La Forte, Silver Heels, Strong, Halftown and Maj. Henry O'Bail, son of Cornplanter. They crossed the Niagara river with the American troops, and fought with great bravery at Lundy's Lane, under General Scott, and at Chipewawa, and in other engagements on the frontier, as all accounts show. They fought not as soldiers of the United States, but in their own style of warfare, under their own captains, as allies of the United States. Their names, therefore, were not put on the muster rolls of our army, or upon its pay rolls, which fact afterwards occasioned difficulty in obtaining land warrants and pensions for their services.

The confederacy of the Iroquois is one of the most remarkable in history, ancient or modern. Their government was partially hereditary, but practically democratic, the chiefs being chosen from the clans, as the Wolf, Bear, Beaver, Turtle and Tortoise, for wisdom in council and bravery in battle, and held their offices during good behavior. These clans permeated the entire people of the Six Nations, and linked and bound them together into one common brotherhood and compact nationality. Persons of the same clan were not allowed to intermarry, because they could not bear a blood relationship to each other. The line of clanship descended from the side of the mother and not the father, the children taking the name of their mother. Hence Cornplanter's children took the name of O'Bail, being that of the mother.

Gov. DeWitt Clinton, of whom few had better means of observation, and who had studied closely the history of the Six Nations, says of them in a lecture before a historical society in 1811:

Their exterior relations, general interests and national affairs were conducted and superintended by a grand council, assembled annually at Onondaga, the central canton, composed of the chiefs of each republic, and eighty sachems were frequently convened at its national assembly. It took cognizance of the great questions of war and peace, of affairs of tributary nations and their negotiations with the French and English colonies; all their proceedings were conducted with great deliberation, and were distinguished for order, decorum and solemnity. In eloquence, in dignity and in all the characteristics of personal policy, they surpassed an assemblage of feudal barons, and were not, perhaps, far inferior to the great Amphycyonic council of Greece. Whatever inferiority of force the Iroquois might have, they never neglected the use of stratagems; they employed all the crafty ideas of the Carthaginians. The cunning of the fox, the ferocity of the tiger, the power of the lion, were united in their conduct. They preferred to vanquish their enemy by taking him off his guard, by involving him in an ambuscade, but when emergencies rendered it necessary for them to face him in the open field of battle, they exhibited a courage and contempt of death which have never been surpassed. Destruction followed their footsteps, and whole nations exterminated, or merged in their conquerors, declare the superiority and terror of their arms.

President Dwight says of them:

Their conquests, if we consider their numbers and their circumstances, were little inferior to Rome it-

self. In their harmony, in the unity of their operations, the energy of their character, the vastness, success and vigor of their enterprises, and the strength and sublimity of their eloquence, they might be fairly compared with the Greeks.

There is a public sentiment in this country that the Indian tribes are fast dying out. However this may be with other Indian tribes, it is not true as to the original Six Nations of New York. In the last hundred years thousands of them have migrated from this state to Canada and the west. Nine hundred and forty-five (Mohawks are at the bay of Quinte; 3,230 are on Grand river, just across on the south shore of Lake Erie; 1,132 north of the Canada line at St. Regis; 1,485 of Caughnawaga; 770 Oneidas on the Thames, making a grand total in Canada of 7,582. Add to these 1,510 Oneidas at Green Bay, Wisconsin; 410 Senecas and Cayguas in the Indian Territory, and the 5,119 of the Six Nations in this state, and we have a grand total of 14,621—a larger number of the Six Nations of New York, and their descendants now living in this state, in Canada and the west, than can be shown by any authentic account of their numbers in the last hundred and fifty years. Their actual increase in this state since 1845, is 1,239, and the report of the interior department of the province of Canada, shows that the Iroquois in that province are not only increasing in population, but making very good progress in civilization, more so than the other numerous Indian tribes in Canada.

The statistics showing the present number of the Six Nations in Canada, are taken from the official reports of the interior department at Ottawa, and are reliable. Those of their number in this state and the west, are from our Indian bureau at Washington, and form the basis for annuity payments. They show a vitality in this people, emerging from barbarism to civilization, that is, under all the adverse circumstances surrounding them, remarkable indeed, if not unprecedented.







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